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Kurian Jacob

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EXAMINER

NGUYEN, KHAI MINH

ART UNIT

PAPER NUMBER

2617

NOTIFICATION DATE

DELIVERY MODE

04/29/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/749,711	<b>Applicant(s)</b> JACOB, KURIAN	
	<b>Examiner</b> KHAI M. NGUYEN	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 1, 13, and 24, Applicant argues of the remarks, that Chaskar in view of Background of the invention and Milman do not disclose, teach, or suggest "establishing a second communication connection, the second communication connection being a direct communication connection between the user communication device and the service provider; and completing a service transaction via the second communication connection upon rendering of the service at the location of the user by the service provider."

The Examiner respectfully disagrees with Applicant's argument because the current claim language is broad enough to be met by Chaskar in view of Background of the invention and Milman.

Chaskar in view of Background and Milman of the invention clearly disclose establishing a second communication connection (see Milman, **communication between technician and customer**, [0029]), the second communication connection being a direct communication connection between the user communication device (customer) and the service provider (see Milman, [0029] **permits the technician to view the address and driving direction for that customer, so the technician can contact the customer, as necessary. This can be by phone call or e-mail** and [0042]); and completing a service transaction via the second communication

connection upon rendering of the service at the location of the user by the service provider (see Milman, [0008] **technician can enter service call completion information, time on job and orders for replacement parts, using the hand-held device, and which automatically computes a customer bill or invoice, and provides for the customer a summary of billing data, also on the hand-held device**).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 12-17, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702), in view of Background of the invention (U.S.Pub-20050143095), and further in view of Milman (U.S.Pub-20040014479).

Regarding claim 1, Chaskar teaches a method of providing a service to a user of the service comprising the steps of:

establishing a first communication connection (fig.3-4, [0003] lines 1-3), the first communication connection being between a user communication device (fig.2, item 10) and a service provider agent (LCS) ([0003], [0005]);

requesting a service from the service provider agent via the first communication connection ([0003] making a call to a required service number or sending a request over the Internet, for example, a mobile subscriber is able to order a selected service announcement to be delivered to the display of the mobile station, for example. Of these individual services, e.g., weather forecast, traffic announcements, local news and other local services, such as taxi ordering and service station announcements and so on are services where the mobile subscriber selects the desired announcement on the basis of the geographical area and [0031]);

Chaskar fails to specifically disclose providing location information identifying the location of the user to the service provider agent.

However, Background of the invention teaches providing location information identifying the location of the user to the service provider agent ([0002] to order a transportation service, one may call a dispatcher for a given transportation service, notify the dispatcher of the location where the service is needed, i.e., the pickup location, the type of service requested, e.g., limo, taxi, etc., and the destination).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Background of the invention to Chaskar to allow users to order or request service quickly and easy.

Chaskar and Background of the invention fail to specifically disclose dispatching a service provider to the user based upon the requested service and the location information; establishing a second communication connection, the second

communication connection being a direct communication connection between the user communication device and the service provider; and completing a service transaction via the second communication connection upon rendering of the service at the location of the user by the service provider .

However, Milman teaches dispatching a service provider (technician) to the user (customer) based upon the requested service and the location information ([0029] lines 5-8); establishing a second communication connection (communication between technician and customer, [0029]); the second communication connection being a direct communication connection between the user communication device and the service provider ([0029] permits the technician to view the address and driving direction for that customer, so the technician can contact the customer, as necessary. This can be by phone call or e-mail and [0042]); and completing a service transaction via the second communication connection upon rendering of the service at the location of the user by the service provider ([0008] technician can enter service call completion information, time on job and orders for replacement parts, using the hand-held device, and which automatically computes a customer bill or invoice, and provides for the customer a summary of billing data, also on the hand-held device).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Milman to Chaskar and Background of the invention to allow users to request service quickly and security.

Regarding claim 2, Chaskar and Background of the invention further teach the method of claim 1, wherein the first communication connection comprises a wireless communication connection selected from the group of wireless communication connections comprising: a cellular radiotelephone communication connection (see Chaskar, fig.6, [0039], [0051], claim 1), a paging communication connection and a wireless data communication connection (see Chaskar, fig.6, [0039], [0051], claim 1).

Regarding claim 3, Chaskar, Background of the invention, and Milman further teach the method of claim 1, wherein the step of providing location information comprises determining location information at the user communication device (see Chaskar, [0039], [0051], claim 1) and communicating the location information to the service provider agent via the first communication link (see Chaskar, [0039], [0051], claim 1)

Regarding claim 4, Chaskar, Background of the invention, and Milman further teach the method of claim 1, wherein the second communication connection is established relative to the proximity of user communication device and the service provider (see Background of the invention, [0002]).

Regarding claim 6, Chaskar, Background of the invention, and Milman further teach the method of claim 1, wherein the step of dispatching a service provider (see Milman, technician) comprising obtaining service preference data for the user (see Milman, [0029] and [0042]).

Regarding claim 12, Chaskar, Background of the invention, and Milman further teach the method of claim 1, wherein the step of dispatching a service provider (see Milman, technician) to the user comprises informing the user to transit to a location of the service provider (see Milman, [0029] and [0042]).

Regarding claim 13, Chaskar teaches a user communication device comprising:

- a processor coupled to a memory (fig.2 controller, memory), the memory including a control program for controlling operation of the processor (fig.2);
- a transceiver coupled to the processor (fig.2), transceiver being operable to establish a first communication connection with a service provider agent (fig.3-4, [0003] lines 1-3) and a second communication connection with a service provider (not show); and
- a user interface coupled to the processor (fig.2);

wherein, the processor (item 50) is operable responsive to an input at the user interface (not show) to cause the transceiver to communicate via the first communication connection a service request to the service provider agent (LCS) ([0003], [0005]),

Chaskar fails to specifically disclose operable responsive to an input at the user interface.

However, Background of the invention teaches operable responsive to an input at the user interface ([0003]).



Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Background of the invention to Chaskar to allow users to order or request service quickly and easy.

Chaskar and Background of the invention fail to specifically disclose a second communication connection with a service provider; the service request including location information relating to the user communication device, and communicate service transaction data directly with the service provider, which is dispatched to a location of the user responsive to the service request and the location information, via the second communication connection upon rendering of the requested service.

However, Milman teaches a second communication connection with a service provider (technician) ([0029] lines 5-8); the service request including location information relating to the user ([0042]) communication device (customer) and communicate service transaction data directly with the service provider ([0029] permits the technician to view the address and driving direction for that customer, so the technician can contact the customer, as necessary. This can be by phone call or e-mail and [0042]), which is dispatched to a location of the user responsive to the service request and the location information ([0029]), via the second communication (communication between technician and customer) connection upon rendering of the requested service ([0008] technician can enter service call completion information, time on job and orders for replacement parts, using the hand-held device, and which automatically computes a customer bill or invoice, and provides for the customer a summary of billing data, also on the hand-held device).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Milman to Chaskar and Background of the invention to allow users to request service quickly and security.

Regarding claim 14, Chaskar, Background of the invention, and Milman further teach the user communication device of claim 13, wherein the location information comprises user communication device determined location data (see Chaskar, [0025]-[0026], see Background of the invention, [0002]-[0003]).

Regarding claim 15, Chaskar, Background of the invention, and Milman further teach the user communication device of claim 13, wherein the service request comprises user service preference data (see Chaskar, [0025]-[0026], see Background of the invention, [0002]-[0003]).

Regarding claim 16, Chaskar, Background of the invention, and Milman further teach the user communication device of claim 13, wherein the service request comprises user preference look-up data (see Chaskar, [0025]-[0026], see Background of the invention, [0002]-[0003]).

Regarding claim 17 is rejected with the same reasons set forth in claim 2.

Regarding claim 22, Chaskar, Background of the invention, and Milman further teach the user communication device of claim 13, comprising a location detector coupled to the processor to provide the location information (see Chaskar, fig.2).

Regarding claim 24, Chaskar teaches an apparatus associated with a user comprising:

means for communicating a service request from the user (mobile station) to a service provider agent ([0003] making a call to a required service number or sending a request over the Internet, for example, a mobile subscriber is able to order a selected service announcement to be delivered to the display of the mobile station, for example. Of these individual services, e.g., weather forecast, traffic announcements, local news and other local services, such as taxi ordering and service station announcements and so on are services where the mobile subscriber selects the desired announcement on the basis of the geographical area and [0031]);

Chaskar fails to specifically disclose means for providing location information associated with the user of a service to the service provider agent.

However, Background of the invention teaches means for providing location information associated with the user of a service to the service provider agent ([0002] to order a transportation service, one may call a dispatcher for a given transportation service, notify the dispatcher of the location where the service is needed, i.e., the pickup location, the type of service requested, e.g., limo, taxi, etc., and the destination).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Background of the invention to Chaskar to allow users to order or request service quickly and easy.

Chaskar and Background of the invention fail to specifically disclose means for directly communicating service transaction data with a service provider dispatched to a location of the user responsive to the service request and the location information thereby completing a service transaction upon rendering of the service by the service provider.

However, Milman teaches means for directly communicating service transaction data with a service provider (technician) dispatched to a location of the user responsive to the service request ([0029] permits the technician to view the address and driving direction for that customer, so the technician can contact the customer, as necessary. This can be by phone call or e-mail and [0042]) and the location information thereby completing a service transaction upon rendering of the service by the service provider ([0008] technician can enter service call completion information, time on job and orders for replacement parts, using the hand-held device, and which automatically computes a customer bill or invoice, and provides for the customer a summary of billing data, also on the hand-held device).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Milman to Chaskar and Background of the invention to allow users to request service quickly and security.

4. Claims 5, 7-11, 18-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702), in view of Background of the

invention (U.S.Pub-20050143095), in view of Milman (U.S.Pub-20040014479), and further in view of Chan et al. (U.S.Pub-2004020638)

Regarding claim 5, Chaskar, Background of the invention, and Milman further teach the method of claim 1.

Chaskar, Background of the invention, and Milman fail to specifically wherein the second communication connection comprises a communication connection selected from the group of communication connections comprising a Bluetooth communication connection and an 802.11-type communication connection.

However, Chan teaches wherein the second communication connection comprises a communication connection selected from the group of communication connections comprising a Bluetooth communication connection and an 802.11-type communication connection (paragraph 0005, 0022).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Chan to Chaskar, Background of the invention, and Milman to provide a method for delivering service to users.

Regarding claim 7, Chaskar, Background of the invention, Milman, and Chan further teach the method of claim 1, wherein the step of completing a service transaction comprises communicating an information token (see Chan, abstract).

Regarding claim 8, Chaskar, Background of the invention, Milman, and Chan further teach the method of claim 7, wherein the information token comprises service instructions (see Chan, abstract).

Regarding claim 9, Chaskar, Background of the invention, Milman, and Chan further teach the method of claim 7, wherein the information token comprises payment data (see Chan, [0040]-[0042]).

Regarding claim 10, Chaskar, Background of the invention, Milman, and Chan further teach the method of claim 1, wherein the step of requesting a service is affected in a single user action (see Chan, abstract, [0040]-[0042]).

Regarding claim 11, Chaskar, Background of the invention, Milman, and Chan further teach the method of claim 10, wherein the single user action comprises selection of a bookmark for establishing the first communication connection and requesting the service (see Chan, abstract, [0040]-[0042]).

Regarding claim 18 is rejected with the same reasons set forth in claim 5.

Regarding claim 19 is rejected with the same reasons set forth in claim 5.

Regarding claim 20 is rejected with the same reasons set forth in claim 7.

Regarding claim 21 is rejected with the same reasons set forth in claim 9.

Regarding claim 23 is rejected with the same reasons set forth in claim 10.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/  
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/  
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4/20/2009